

trust fund is ~~fifty million dollars. However, for the fiscal period beginning July 1, 2006, and ending June 30, 2009, the minimum balance of the trust fund required prior to expenditure of moneys from the trust fund is five million dollars.~~ Once the minimum balance is reached, the interest and earnings on the fund and any moneys received under subsection 3, paragraph “a”, are appropriated to the commission to be used to achieve the purposes of this section. It is the intent of the general assembly that the balance in the trust fund reach fifty million dollars.

Sec. 2. NEW SECTION. 99G.9A LIMITED SERIES OF LOTTERY GAMES PROVIDING AID FOR VETERANS.

The chief executive officer, in consultation with the board, shall develop and conduct two additional instant scratch and two additional pull tab lottery games annually to provide moneys for the benefit of veterans and their spouses and dependents. The moneys received from the sale of tickets for each lottery game shall be deposited in a special account in the lottery fund. Notwithstanding section 99G.39, after payment of the prizes, the remaining moneys shall be transferred to the veterans trust fund established pursuant to section 35A.13. However, if the balance of the veterans trust fund is fifty million dollars or more, the remaining moneys shall be appropriated to the department of revenue for distribution to county directors of veteran affairs, with fifty percent of the money to be distributed equally to each county and fifty percent of the money to be distributed to each county based upon the population of veterans in the county, so long as the money distributed to a county does not supplant money appropriated by that county for the county director of veteran affairs.

Approved March 11, 2008

CHAPTER 1013

PEACE OFFICER AND EMERGENCY SERVICES COMMUNICATION EQUIPMENT AND SERVICES — BONDING

H.F. 2366

AN ACT designating peace officer communication equipment and other emergency services communication equipment as an essential county purpose and as an essential corporate purpose that authorizes the issuance of general obligation bonds and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 331.441, subsection 2, paragraph b, Code Supplement 2007, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (17) Peace officer communication equipment and other emergency services communication equipment and systems.

Sec. 2. Section 384.24, subsection 3, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. v. The acquisition of peace officer communication equipment and other emergency services communication equipment and systems.

Sec. 3. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 13, 2008

CHAPTER 1014**DEPARTMENT OF HUMAN SERVICES
HEALTH CARE ASSISTANCE PROGRAMS — ELIGIBILITY***S.F. 249*

AN ACT relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 249A.3, subsection 2, paragraph a, Code Supplement 2007, is amended to read as follows:

a. As allowed under 42 U.S.C. § 1396a(a)(10)(A)(ii)(XIII), individuals with disabilities, who are less than sixty-five years of age, who are members of families whose income is less than two hundred fifty percent of the most recently revised official poverty guidelines published by the United States department of health and human services for the family, who have earned income and who are eligible for medical assistance or additional medical assistance under this section if earnings are disregarded. As allowed by 42 U.S.C. § 1396a(r)(2), unearned income shall also be disregarded in determining whether an individual is eligible for assistance under this paragraph. For the purposes of determining the amount of an individual's resources under this paragraph and as allowed by 42 U.S.C. § 1396a(r)(2), a maximum of ten thousand dollars of available resources shall be disregarded, and any additional resources held in a retirement account, in a medical savings account, or in any other account approved under rules adopted by the department shall also be disregarded. Individuals eligible for assistance under this paragraph, whose individual income exceeds one hundred fifty percent of the official poverty guidelines published by the United States department of health and human services for an individual, shall pay a premium. The amount of the premium shall be based on a sliding fee schedule adopted by rule of the department and shall be based on a percentage of the individual's income. The maximum premium payable by an individual whose income exceeds one hundred fifty percent of the official poverty guidelines shall be commensurate with the cost of state employees' group health insurance in this state. The payment to and acceptance by an automated case management system or the department of the premium required under this paragraph shall not automatically confer initial or continuing program eligibility on an individual. A premium paid to and accepted by the department's premium payment process that is subsequently determined to be untimely or to have been paid on behalf of an individual ineligible for the program shall be refunded to the remitter in accordance with rules adopted by the department.

Sec. 2. Section 249A.6, Code 2007, is amended to read as follows:

249A.6 **ASSIGNMENT — LIEN.**

1. a. As a condition of eligibility for medical assistance, a recipient who has the legal capacity to execute an assignment shall do all of the following:

- (1) Assign to the department any rights to payments of medical care from any third party.
- (2) Cooperate with the department in obtaining payments described in paragraph "a".
- (3) Cooperate with the department in identifying and providing information to assist the department in pursuing any third party who may be liable to pay for medical care and services available under the medical assistance program.

b. Any amount collected by the department through an assignment shall be retained by the department as reimbursement for medical assistance payments.

c. An assignment under this subsection is in addition to an assignment of medical support payments under any other law, including section 252E.11.

1. 2. When payment is made by the department for medical care or expenses through the medical assistance program on behalf of a recipient, the department shall have a lien, to the